and

instructions for comparing said concentration with the corresponding concentration of HO-1 and/or an HO-1 encoding nucleotide sequence in corresponding bodily fluid or non-neural tissue obtained from at least one control person or with an established standard of the corresponding concentration of HO-1 and/or an HO-1 encoding nucleotide sequence in corresponding bodily fluid or non-neural tissue obtained from at least one normal age-matched control person or from the patient at an earlier time;

a1

wherein a reduced concentration is used to predict the onset of, diagnose, or prognosticate an Alzheimer dementing disease; and wherein a concentration that is not reduced indicates that the dementing disease is not an Alzheimer dementing disease.

14. (Amended) The commercial package according to claim 2 wherein the at least one control person is the patient from whom the corresponding concentration of HO-1 and/or an HO-1 encoding nucleotide sequence in bodily fluid and non-neural tissue was obtained at an earlier time, and the commercial package is used to prognosticate a dementing disease.

a2

REMARKS

Responsive to the office action of October 2, 2002, applicants, by their undersigned attorney, hereby elect claims 1-14 (Group I), for prosecution. Claims 15-20 (Group II) have been

cancelled whereby the restriction requirement is now moot.

Respectfully submitted,

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2. (Amended) A commercial package for assessing a dementing disease in a patient comprising: [;]

means for determining the concentration of heme oxygenase-1 (HO-1) and/or a nucleotide sequence encoding HO-1, in bodily fluid or non-neural tissue obtained from a patient; and

instructions for comparing said concentration with the corresponding concentration of HO-1 and/or an HO-1 encoding nucleotide sequence in corresponding bodily fluid or non-neural tissue obtained from at least one control person or with an established standard of the corresponding concentration of HO-1 and/or an HO-1 encoding nucleotide sequence in corresponding bodily fluid or non-neural tissue obtained from at least one normal age-matched control person or from the patient at an earlier time;

wherein a reduced concentration is used to predict the onset of, diagnose, or prognosticate an Alzheimer dementing disease; and wherein a concentration that is not reduced indicates that the dementing disease is not an Alzheimer dementing disease.

14. (Amended) The commercial package according to claim 2 wherein the at least one control person is the patient from whom the corresponding concentration of HO-1 and/or an HO-1 encoding nucleotide sequence in bodily fluid and non-neural tissue was obtained at an earlier time, and the commercial package is used to prognosticate a dementing disease.